21. 6.

ACT

OF

The Synod of *Glaſgow* and *Air*,

FOR

Reviving PIETY and Suppreſſing IMMORALITY.

WITH

Several Acts of the General Aſſembly Referred to therein.

As alſo,

The ABBREVIATE of the Laws againſt Prophaneſs.

GLASGOW,
Printed by *William Duncan*, in the *Salt-Market*, 1727.

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ACT

OF THE

Synod of *Glaſgow* and *Air*,

FOR

Reviving Piety and and ſuppreſſing Immorality.

At Glaſgow, 5th. *October* 1726. *ante merid.*

THE Committee for Overtures, having read and conſidered the Overtures, *for reviving Piety and ſuppreſſing Immoralities*, that the Synod re-

mitted to them; they did transmit them to the Synod: The Tenor whereof follows.

The Synod of *Glaſgow* and *Air*, taking under ſerious Conſideration the Abounding and Increaſe of Profaneſs and Immorality, notwithſtanding of the many and often repeated good Acts of this Church, directing the Management, both of Church-Officers and private Chriſtians, in oppoſing them; and that the Slackneſs and Want of Succeſs, in ſo good a Work, is not a little owing to the not having all theſe good Acts, digeſted into ſuch a Method, as that they may be brought under View at once, and thereby the Execution of them rendered eaſie; and alſo conſidering, that ſome further Expedients may be requiſite, for the more effectual Diſcrediting and ſuppreſſig ſuch Iniquity, and reſtoring the Life of Religion, ſo much in Decay; Do therefore require all Miniſters, Seſſions and Presbyteries within their Bounds, carefully to remember, and ſtrictly to obſerve the following Acts of the General Aſſembly, Act x. Aſſ. 1708. *Recommending the more exact and conſcientious Viſitation of Families.* And Act xi. Aſſ. 1697. and Act vii. Aſſ. 1699, *Againſt Prophaneſs*, and 5*th* Sect. of Act Aſſ. 1596. revived

Seſſion

Seſſion 7th Aſſ. 1638. *Concerning Miniſters Diligence in Studying and ſuitable Preaching*; and Act ix. Aſſ. 1719. *About Perjuries and Running of Goods*, to be read in proper Places. Alſo Act x. *ibidem.* And the Act of Synod 1694. *Anent Penny-weddings*, alſo Act xviii. Aſſ. 1645.

And for rendering the ſaid Acts more effectual, the Synod enjoyns, That Miniſters preach the moral Duties of our Religion more frequently and more fully, in a Goſpel-method, and with due Regard to Goſpel-grace; and that they endeavour due Encouragement of Meetings for Prayer among private Chriſtians, to be under regular Management: And that Miniſters have frequent Conferences, about the beſt Way of being uſeful in their Office, communicating to one another Obſervations, about what may be offenſive in any Brother's Management, he being preſent, or acquainted, by the Brother that ſpeaks to him, to be preſent, if ſpeaking to himſelf do not ſatisfie.

Alſo, that Societies for Reformation of Manners be erected, where they can be had, and Sermons preached for directing and encouraging them, at proper Times: And that theſe Societies, or the Seſſions, take

take narrow Inſpection of Peoples Behaviour at Fairs and Markets, and in going to them, and coming from them: And all Manner of Prophanation of the LORD's Day. And in regard, that ſome People make light of unneceſſary Travelling on the LORD's Day, that therefore ſuch be particularly taken Notice of: And that they deal ſeriouſly with Keepers of publick Houſes, for preventing the Diſorders that frequently happen there. And that Presbyteries and Seſſions uſe their beſt Endeavours, with Perſons of Note and Influence, to engage them to be aſſiſting in this Deſign. And that Presbyteries and Seſſions obſerve Uniformity in Diſcipline, according to the Acts of Aſſembly: And that Miniſters and Members of Seſſions meet frequently for Prayer and Conference. And the Synod further enjoyns Presbyteries, at their privy Cenſures, to read over the ſaid Acts, together with this Act; and to put every Brother to the Queſtion, in the moſt ſerious Manner, How far he has obſerved them? As alſo, what is done for the Execution of the Acts of Parliament againſt Prophaneſs, contained in the Abſtract printed 1714. which is to be read at the ſame Time, or Diets *ad hunc effectum*

ment: And this is to be recorded in Presbytery Books, and the Diligence of Presbyteries in this is to be enquired into, by the Synod at privy Cenſures. And that every Brother, Seſſion and Presbytery may have theſe Rules ſtill before them, the Synod orders this their Act, with the above mentioned Acts of the Aſſembly, and the Abbreviate of the Laws againſt Prophaneſs, to be printed, and every Miniſter and and Seſſion each to take a Copy. And laſt of all, the Synod earneſtly obteſts and charges all inferior Judicatories and Miniſters, to entertain a moſt weighty Senſe of the Neceſſity and Importance of this Work, and to beſtir themſelves, with all the Activity and Diligence, that will be neceſſary in a Matter of ſo great Difficulty, and wherein the Honour of GOD, the Credit of Religion and of this Church, the eternal Salvation of Souls, and our own Peace, are ſo highly concerned.

After Reading of them Paragraph by Paragraph ſeveral Times, the Queſtion was put, Approve the ſame *Yea* or *Not*? The Roll being called, and Votes marked, it carried, Approve *Nemine contradicente*. And therefore the Synod did, and hereby do approve thereof. And the Synod appoints

points the ſame to be printed, with the Acts of Aſſembly, and the Abbreviate of the Laws againſt Prophaneſs, together with the Synod's Act anent Penny-brydals, therein mentioned.

Extracted from the Records of the Synod of *Glaſgow* and Air, by

Jo. Lockhart Cl. Syn.

ACTS of the General Aſſembly.

Act and Recommendation concerning Miniſterial Viſitation of Families.

At *Edinburgh*, *April* 27, 1708. Seſ. 13. & *ult.*

THe General Aſſembly finding, That Overtures, concerning the miniſterial Viſitation of Families, have been tranſmitted to the ſeveral Presbyteries within this national Church, for their Opinions there-

thereanent, and that the Plurality of the Presbyteries, who returned their Opinions about the ſame, have conſented to the paſſing of theſe Overtures, in Manner after mentioned: And the General Aſſembly judging, That what is therein propoſed, may be of great Uſe to the Miniſters of the Goſpel, tho' not as binding Rules; yet as an Help to them, when they go about that neceſſary Work of Family-viſitation: Therefore this General Aſſembly did unanimouſly, and hereby do recommend the ſame, as ſuch, to the ſeveral Miniſters of this national Church. The Tenor whereof follows.

Seing, for the faithful Diſcharge of Miniſters Work, they ought, beſide what is incumbent to them in the publick Congregation, to take ſpecial Care and Inſpection of the particular Perſons and Families, under their Overſight and Charge: In Order to which, it hath been the laudable Cuſtom of this Church, at leaſt once a Year, if the Largeneſs of the Pariſh, bodily Inability in the Miniſter, or other ſuch like Cauſes, do not hinder, for Miniſters to viſit all the Families in their Pariſhes, and oftner, if the Pariſh be ſmall, and they able to ſet about it.

For the more uniform and ſucceſful Management of which Work, although in Regard of the different Circumſtances of ſome Pariſhes, Families and Perſons, much of this Work, and the Management thereof, muſt be left to the Diſcretion and Prudence of Miniſters, in their reſpective Overſights; yet theſe following Advices are offered and overtur'd, as Helps in the Management thereof, that it may not be done in a ſlight and overly Manner.

1. Firſt of all, it ſeems needful, That ere a Miniſter ſet out to this Work, he ſhould labour to have his own Heart in a ſuitable Frame for it, by exciting in himſelf the Love of GOD, and the Deſire of the Salvation of his Peoples Souls, and the Senſe of the Weight of the Charge given him to watch for Souls, as one who muſt give an Account; and of the Difficulty of this Part of his Work in particular: For, perhaps it may be found no leſs difficult, to apply to particular Families, and Perſons therein, teaching and warning every one, than it is to diſpence the Word in common in the publick Congregation.

2. That ſuch a Time in the Year be choſen, for ſuch miniſterial Viſitaton, as

the

the Families, whom he viſits, may be beſt at Leaſure to meet with him, when they may be expected at Home, and leaſt incumbered with Affairs: And it were fit, that when a Miniſter deſigns to viſit any Part of his Pariſh, Intimation thereof ſhould be made, either in publick from the Pulpit, or ſome other Way, that they may order their Affairs ſo, that he may have Opportunity to meet with them at Home.

3. It's fit, when a Miniſter deſigns to viſit any Part of the Pariſh, that he be accompanied with the Elder of the Bounds; and that before they go forth to the Work, they may confer together, concerning the State and Condition of the Perſons and Families of theſe Bounds, that the Miniſter may be able to ſpeak the more ſuitably to their Condition, and as may be moſt for Edification.

4. When they enter an Houſe or Family, after a ſhort Account of the Deſign of the Viſit, and Expreſſion of their Wiſhes and Deſires, for the Bleſſing of GOD upon the Family, and that above all their Souls may proſper; it were fit to take an Account of the Names of the Family, Parents, Children and Servants, and to enquire for Teſtificates from them, who are

lately come to the Pariſh, and to mark them in their Book or Roll for Catechiſing, and to take Notice who can read, and of the Age of Children, when capable to be catechiſed.

5. After the Miniſter has got an Account of the Perſons dwelling in the Family, he may ſpeak to them all in general, of the Neceſſity of Regeneration, and the *Ad*vantages of ſerious Religion and Godlineſs, of Piety towards GOD, and Juſtice and Charity towards Man.

6. And next, more particularly to the Servants of their Duty, to fear and ſerve GOD, and to be dutiful, faithful and obedient Servants, and of the Promiſes made to ſuch; commending to them the Reading of the Scriptures, as they can, and Prayer in ſecret, and Love and Concord among themſelves; and in particular a holy Care of *Sanctifying* the LORD's Day.

7. The Miniſter may apply his Diſcourſe to the Children, as they are capable, with affectionate Seriouſneſs, ſhewing them the *Ad*vantage of knowing, loving, ſeeking and ſerving GOD, and remembring their Creator and Redeemer in the Days of their Youth, and honouring their Parents, and to mind them, how they were dedicate

dedicate to GOD in Baptiſm; and when of Age, and fit, and after due Inſtruction of the Nature of the Covenant of Grace, and the Seals thereof, to excite them to engage themſelves perſonally to the LORD, and to deſire, and prepare for, and take the firſt Opportunity they can, of partaking of the *LORD's Supper*, to be eſpecially careful, how they communicate at firſt, much depending thereon, (and ſuch of the Servants, as are young, are to be exhorted hereto in like Manner) exciting them alſo to daily Reading of the Scriptures, and to ſecret Prayer, and Sanctifying the LORD's Day.

8. After the Miniſter has ſpoken to Servants and Children, he ſhould ſpeak privately to the Maſter and Miſtreſs of the Family, about their perſonal Duty toward GOD, and the Care of their own Souls Salvation, and their Obligation to promote Religion, and the Worſhip of GOD in their Family, and to reſtrain and puniſh Vice, and encourage Piety, and to be careful, that they and their Houſe ſerve the LORD, and ſanctifie the LORD's Day: And after this, it may be fit, to exhort Maſters, to take Care that GOD be worſhipped daily in the Family, by Prayer and Praiſe

Praiſe, and Reading of the Scriptures. *Secundo*, Concerning the Behaviour, and Converſation of the Servants, and their Duty towards GOD and Man, and how they attend the Worſhip of GOD in the Family, how they attend the publick Worſhip on the *LORD's Day*, and how they behave after Sermons; if any of them be piouſly inclined, if they make Conſcience of ſecret Prayer, and Reading the Scripture. *Tertio*, If there be Catechiſing and Inſtructing the Ignorant and Weak, if dûe Care be taken in Educating the Children; and particularly, if they be put timouſly to Shool, and how they profit thereat, and how the *LORD's Day* is ſpent after Sermons, in the Family and in Secret; in all which, the Miniſter may mix in ſuitable Directions, Encouragements and Admonitions, as he ſhall ſee Cauſe, and moſt for Edification.

9. It may be uſeful to enquire, Who have Bibles, and to encourage them, who are able to get a Bible of ther own, and to make diligent and religious Uſe thereof; and to commend to Parents and Maſters of Families, to have *the Confeſſion of Faith, Catechiſms*, and other good Books, for Inſtruction in Faith and Manners:

10. If

10. If any be tainted with Errors, or given to Vice, they ſhould be particularly dealt with, and ſpoken to, either privately, or before others, as may be moſt for Edification; and all are to be exhorted, that are in the Family, to watch and edify one another, and to carry toward any that walk diſorderly, according to the Rule, *Matth.* 18. 15.

11. As the Miniſter is to exhort all in the Family to Peace, and Love among themſelves, and their Neighbours; ſo if there be any Difference or Diviſion, either in the Family or with the Neighbours, the Miniſter ſhould endeavour to remove the ſame, and to make Peace, and to excite to follow it with all Men, as far as poſſible.

12. It may be alſo enquired, at thoſe who received Tokens to communicate, the laſt Seaſon for it, *Whether they have made Uſe of them or not?* and thoſe who have communicate, may be enquired privatly, *How they have profited thereby?* and excited to remember, and pay their Vows to the *LORD*.

13. If there be any in the Pariſh, who keep not Church-Communion with us; whatever their Motives be, Miniſters ought

to

to deal with GOD for them, and with themſelves, in ſuch a Way as may be moſt proper to gain them, and exoner our own Conſciences before GOD and his People, waiting, if GOD peradventure will prevail with them: Who can tell, but our making them ſenſible of our tender Love and Affection to their Perſons, eſpecially to their Souls, giving them all due Reſpect, and doing them all the Good we can, yet ſtill diſcountenancing their Sin, may in the End be bleſſed of GOD for their Good? *Jude* 22, 23. 2 *Tim.* 2. 24, 25.

Seing there is Need, for all this, of much Prudence, Zeal for GOD, and Love to Souls, and affectionate Seriouſneſs; all this ſhould be carried on with Dependance upon GOD, and fervent Prayer to him, both before a Miniſter ſet forth for ſuch Work, and with the viſited, as there ſhall be Acceſs to, and Opportunity for it.

Act againſt Prophaneſs.

At *Edinburgh*, *January* 11th. 1697. *poſt meridiem*, Seſ. 3.

THe General Aſſembly of this national Church, taking to their moſt ſerious Conſideration, That notwithſtanding of the weighty Commands, and dreadful Threatnings contained in the Scriptures of Truth, and the many laudable chriſtian Laws of this Nation, and the Acts of the General Aſſemblies of this Church, againſt all Impiety and Prophaneſs; yet the open Outbreakings of Wickedneſs are not reſtrained, but GOD is daily diſhonoured and provoked, the Profeſſion of Chriſtianity diſcredited, and the pernitious Infection of ill Example diſſeminated and ſpread abroad, by the abounding Scandals of profane and idle *Swearing*, *Curſing*, *Sabbath-breaking*, *profane Withdrawing from*, *and Contempt of Goſpel Ordinances*; yea, oppoſing the Diſpenſing of them, by hindring the Planting of Churches, and diſcouraging the Endeavours of o-

thers, for calling and fixing a faithful Gospel-Ministry among them, *Mocking of Piety and Religion, and the Exercises thereof, Fornication, Adultery, Drunkenness, excessive Tippling, Deism, Blasphemy and other gross abominable Sins*: And whereas, not only did the General Assembly, by their Act *April* 16, 1694. recommend to all Ministers and Kirk-Sessions, carefully to apply to the several Migistrates of their Bounds, for putting the Acts of Parliament against Prophaness, in Execution; but likewise, this current Parliament hath, by their Acts, intituled, *Against Prophaness, June* 15, 1693. *June* 28, 1695. and *October* 9, 1696. declared, That Ministers, Kirk-Sessions and Presbyteries, shall by themselves, or others in their Name, have good Intereſt to apply for, and pursue the Execution of the said Acts: And albeit Execution is ordained to pass at the Instance of any Person whatsomever; yet it being especially incumbent upon Ministers, and Church Judicatories, to hold Hand thereto; Therefore, that this national Assembly may not be wanting to their Duty, in contributing their outmost Endeavours, for bearing down and punishing of all Immorality and Wickedness: They

do

do in *the first Place*, in the Aw and Dread of the great GOD, *who will not hold them guiltless, that break any of his Commandments*, beseech, warn, and obtest all the People of this Church and Nation, to break off their Sins by Repentance, and seriously, in the Fear of the LORD, to apply themselves, to a sober, conscientious, christian and circumspect Walk, in all Manner of Conversation, as becomes the Professors of the glorious Gospel of the blessed GOD, and of that Religion, which is pure and undefiled, and as they would not incur the heavy Displeasure, and just Indignation of the Holy One, in being excluded for ever, from seeing his Face in Peace, and pull down his temporal Judgments upon themselves, and upon the Land: And *next*, they do require all the Ministers of this Church, *freely* and *faithfully* to preach against the fore-mentioned enormous Sins, as the crying Sins of the Time, that People may be brought to a Conviction and Sense of their Hainousness and Danger, and may refrain not only for Fear, but from Conscience. And further they do appoint, That Presbyteries and Kirk-Sessions do faithfully and impartially exercise Church-Discipline,

againſt all ſuch ſcandalous Offenders, and uſe all ſuitable Means, in dealing with their Conſciences, to bring them to unfeigned Repentance and Reformation; and they ſeriouſly recommend to Miniſters, and Members of Kirk-Seſſions, from a true Zeal for GOD, to hold Hand to the delating, informing againſt, and puniſhing of all profane Tranſgreſſors, without Reſpect of Perſons, by Civil Puniſhments, conform to the Acts of Parliament made in that Behalf; and that they record their Diligence in their Seſſion-Books, that the ſame may be ſeen by their Presbyteries, who are hereby required to make Enquiry therein, at their Viſitations: And leſt any may be found backward, in performing their reſpective Duties, from an Unwillingneſs to diſpleaſe or diſoblige Perſons of Note, who may happen to be guilty; the General Aſſembly earneſtly exhorts all Miniſters and Elders, and all Chriſtians to remember, That in this Matter they have to do with the great and terrible GOD, whoſe Honour is to be preferred, and whoſe Wrath is to be feared, before all other Conſiderations whatſomever: And they overture, that whatever Miniſter, or Member of Seſſion be found

faulty

faulty, in neglecting to purſue the foreſaid Scandals in their Stations, the ſaid *Miniſter* or *Member* of *Seſſion* be complained of, and cenſured by the Presbytery, for the firſt Fault, and that the Cenſure be recorded: And that the *ſecond Negligence* be delated to, and cenſured by the Synod: And that for the *third Neglect*, they be cenſured by the Synod with Suſpenſion, to be recorded in the Synod Regiſter. And albeit, the General Aſſembly hath full Confidence in the Integrity and Zeal of all honeſt chriſtian Magiſtrates, and that they will, with Firmneſs and Reſolution, make Conſcience of the Obligations of their Office, and faithfully diſcharge the Truſt committed to them by GOD, and the Supreme Authority of this Nation; yet becauſe a Slackneſs, or Backwardneſs may fall out, in ſome particular Places, and there hath been hitherto a moſt lamentable Defectiveneſs, in putting the Laws againſt Prophaneſs to Execution, and ſome have refuſed to give Deputations and Commiſſions for that End, to Perſons who have been duly nominated, and preſented to them: Therefore the General Aſſembly doth recommend to each *Miniſter*, or *Kirk-Seſſion*

Seſſion, who ſhall find Cauſe to complain of a Magiſtrate, for Negligence in Executing the ſaid Laws, or for refuſing Deputation and Commiſſion to ſuch Perſons, as are duly elected and preſented to them (from Pariſhes, where there is no ordinary Magiſtrate reſiding) conform to the above-mentioned Act of Parliament, *October* 9, 1696. That they acquaint their Presbyteries therewith, and that the ſaid Presbytery, having uſed all previous Means, in dealing with the Conſcience of the ſaid Magiſtrate, without any good Effect, do, with the Kirk Agent thereafter, purſue the ſaid negligent, or refractory Magiſtrate, before the Lords of Council or Seſſion, according to the foreſaid Acts of Parliament. And *laſtly*, That theſe Preſents be read in all the Churches within the Kingdom, twice a Year from the Pulpit, to wit, upon the firſt Sabbaths after *Whitſunday* and *Martinmas* yearly.

Act againſt Prophaneſs.

At *Edinburgh*, 30 *January*, 1699. *ante meridiem*, Seſ. 9.

THe General Aſſembly, taking to their Conſideration, the Overtures againſt Prophaneſs, paſt by the laſt Aſſembly, *January* 24, 1698. *Seſ.* 15. And having heard the Report of Commiſſioners preſent, from the ſeveral Prerbyteries of this national Church, to whom the Conſideration of the ſaid Overtures were recommended; and the General Aſſembly being well and ripely adviſed thereanent, did by their Vote, and hereby do approve of theſe Overtures after mentioned, whereof the Tenor follows.

1. The General Aſſembly conſidering the lamentable Growth of Prophanity, Ignorance and Irreligion, that is too manifeſt in this Land, and the woful Decay of the Life and Power of Godlineſs, with the ſmall Succeſs of the Goſpel, that's to be obſerved every where, at this Time, the General Aſſembly, in a deep Senſe of theſe Things

Things, and for the Remeding of them, do in the *first Place*, in the Aw and Dread of GOD, beſeech, exhort and require all Miniſters, by the Coming of our LORD *Jeſus Chriſt*, and our Gathering together unto him, That they take Heed to themſelves, and to their Doctrine, and endeavour to be Enſamples to the People, in all Piety, Purity and Holineſs, in all Manner of Converſation.

2. That they be frequent and fervent in ſecret Prayer, for themſelves, and the People committed to them, joining ſometime Faſting with Prayer. And the General Aſſembly recommends to Miniſters, and Elders in their ſeveral Pariſhes, and Miniſters in their ſeveral Presbyteries, to meet ſometimes together in their Pariſhes, and Presbyteries *reſpective*, for private Faſting, and Prayer, and Conference anent the State of the Church, and that Part of it, in which they have ſpecial Intereſt; with Reſpect to the Growth or Decay of Godlineſs, and Succeſs of the Goſpel therein.

3. That Presbyteries be more accurate, in managing their privy Cenſures, and that a Day be ſet apart to that Purpoſe

only

only, and ſpent in Faſting and Prayer together.

4. That Prebyteries be very cautious, in admitting Intrants to the Miniſtry, and be accurate and exact in the Trial, not only of their Literature, but of their Piety, Prudence, and former godly Converſation and Walk.

5. That Miniſters be painful in Catechiſing, frequent in Viſiting of Families, and in private perſonal Conference with theſe of their Charge, about the State of their Souls: and that Miniſters be more frequent in Adminiſtration of the LORD's Supper, and always edifying in their Converſe and Diſcourſe; and that they deal with Heads of Families, to engage them to Piety, and a Care to reform their Families, and to ſet up, and to keep up the Worſhip of GOD therein: And in particular, that Miniſters endeavour, by all prudent and gaining Goſpel-methods, to engage Perſons of Honour and Power, to fall in Love with Holineſs, and reckon it, as indeed it is, their greateſt Honour; and that in dealing with ſuch of them, as are vitious, an humble, and yet holy Boldneſs and Zeal, be uſed in admoniſhing them, in Order to their Recovery; And

that herein Presbyteries appoint some others of their Number, to concur with the Minister of the Place, as may be most for Edification.

6. The General Assembly recommends, to the Kirk-Sessions and Presbyteries, the vigorous, impartial, and yet prudent Exercise of Church-Discipline, against all Immorality, especially, *Drunkenness*, and *Filthiness*, *Cursing* and *Swearing*, and *Prophaning the* LORD's *Day*, which too much abound: And that they apply to the Magistrate, for the Execution of the good Laws, made against Immorality and Prophaness.

7. That seing it is observed, That in Burghs, especially these of the greatest Resort, as *Edinburgh*, many sit too late in Taverns, especially on the Saturday's Night, and Men of Business pretend, they do it for Relaxation of their Minds; through which, some neglect the publick Worship on the LORD's Day in the Forenoon; and others attend the Worship drousily: Therefore the General Assembly recommends to all Ministers, where such sinful Customs are, to represent to the People, both publickly and privately, the Sin and Evil thereof, and to call them to

to redeem that Time, which they have free from Buſineſs; and to employ it for Converſe with GOD, about their Souls State, and in Preparation for the Sabbath, which will yield more Delight, than all ſenſual Pleaſures can do.

And the General Aſſembly beſeecheth, and exhorteth all Magiſtrates of Burghs, to be aſſiſtant to Miniſters, in Enquiring into, and Reforming ſuch Abuſes.

And ſicklike, the General Aſſembly revives the Act of the General Aſſembly, dated the 11*th January* 1697. *Seſſ.* 8. Intituled, *Act againſt Prophaneſs*, and approves of the Overture therein contained, anent cenſuring ſuch Miniſters and Members of Seſſions, as are negligent in purſuing Scandals.

And the General Aſſembly recommends, and enacts the punctual Obſervation of the ſaid Acts and Overtures, and Obedience thereto by all Presbyteries, Miniſters, Elders and Seſſions, as they are concerned, in their ſeveral Stations, as they will be anſwerable.

Act of Assembly 1596. *Sect.* 5*th. revived Assembly* 1638. *Concerning Ministers Diligence in Studying, and suitable Preaching.*

THAT such as shall be found not given to their Book, and Study of Scriptures, not careful to have Books, not given to Sanctification and Prayer, that studie not to be powerful and spiritual, not applying the Doctrine to Corruptions, which is the pastoral Gift, obscure and too scholastick before the People, cold, and wanting of spiritual Zeal, negligent in visiting of the Sick, and caring for the Poor; or indiscreet, in chosing of Parts of the Word, not meetest for the Flock, Flatterers, and dissembling at publick Sins, and specially of great Personages in their Congregation, for Flattery, or for Fear, that all such Persons be censured, according to the Degree of their Faults, and continuing therein, be deprived.

Act

Act ſhewing the Sin and Evil of Running unentred Goods; and of the Perjuries at Cuſtom-Houſes, in Matters of Trade.

Edinburgh, 22d *May* 1719. Seſſ. 8.

THE General Aſſembly taking into their ſerious Conſideration, the many Sins and Scandals that are occaſioned in this Nation; eſpecially upon the Sea Coaſts thereof, by the Running of uncuſtomed Goods, to the great Diſcouragement and Detriment of all fair Traders; the multiplied Perjuries, that ſome Shipmaſters, Merchants, and others, become guilty of in his Majeſty's Cuſtom-houſes, through this unlawful and unwarrantable Practice, to the great Diſhonour of GOD, the Reproach of the Chriſtian Name and Character, and to the Wounding and Ruining of precious Souls; the dreadful Profanation of the LORD's Day, that theſe impious Courſes do lead Seamen, Farmers, Merchants, and others of their Aſſiſtants to, in tranſporting and hiding of their Goods

Goods on the Sabbath; and that all this is attended with horrid Lying and Diſſimulation, with beaſtly Drunkenneſs and Stealing, the Perſons, who help to carry off theſe unentred Goods, and are diſpoſed through Influence, Friendſhip and Money, to lodge and conceal them, reckoning it a ſmall Offence and Sin, if any, to take a Share of them to themſelves; and that ſuch Practices are ſometimes the Occaſion of Fighting, Beating, Slaughter and Blood, and do not a little leſſen his Majeſty's juſt Revenues, that by the Laws of GOD, and Laws of the Land, his Majeſty's trading Subjects (under his Protection) are obliged to render to him for Conſcience Sake, in Obedience to the Commands of GOD's holy Word; *That we ſhould render to* Ceſar, *the Things that are* Ceſar's; *and to GOD the Things that are GOD's*, Matth. Chap. 22. Verſe 21. *And to give Tribute to whom Tribute is due, and Cuſtom to whom Cuſtom*, &c. Rom. Chap. 13. Verſe 7. Do judge themſelves bound in Duty and Conſcience, to warn all Men of the Sin, Evil and Danger of ſuch Courſes: And they ſtrictly enjoin all Miniſters, eſpecially thoſe whom the Providence of GOD has fixed in Sea-trading

Towns

Towns and Places, to repreſent to the People and Hearers, the great Impiety, and monſtruous Wickedneſs of ſuch Methods to gain this World, to the endangering of their Souls; and as they have Acceſs, ſeriouſly to deal with the Conſciences of ſuch as they have Ground to ſuſpect guilty in this Matter, and to ſhow to them the Evil of their Ways, earneſtly beſeeching and obteſting them in the Fear of GOD; and from the Conſideration of a future Judgment, to abſtain from ſuch crying Sins and deadly Courſes, that cannot but juſtly provoke a holy GOD to deny them Succeſs in their Interpriſes and Undertakings, to leſſen their Means, and to ſend heavy Judgments upon them; that are ſo contrary to divine Laws, and inconſiſtent with Chriſtians, their Profeſſions and Engagements to the moſt high GOD, that have ſo plain a Tendecy to ruin their Souls, and to draw down the Wrath of GOD upon them and theirs, and that ſerve ſo palpably to debauch the Conſciences, and Morals of ſo many in the Country, and to involve others in Guilt with themſelves, by Bribing and otherwiſe. And the General Aſſembly ordains this Act to be once read in all the Churches in *Scotland*

land, and as often in particular Parishes, as the Prudence of Ministers shall direct.

Recommendation against Abuses at Penny Weddings.

Edinburgh, 22d *May* 1719. Sess. 8.

THE General Assembly did, and hereby do recommend to Synods, Presbyteries and Kirk-Sessions, to see to the Execution of the Acts of the General Assembly, against Abuses at Penny-Weddings, and to apply to the Civil Magistrate, for the Execution of the Laws, against Persons guilty of Abuses, and Disorders on these Occasions.

Act

Act of the Synod of Glaſgow *and* Air,

Againſt Abuſes and Diſorders at Weddings.

THe Provincial Synod of *Glaſgow* and *Air*, conſidering, That albeit the Word of God doth condemn, and forbid Rioting and Exceſs, as not only diſhoneſt and unbecoming the Profeſſion of a Chriſtian; but likewiſe, as drawing down the dreadful Judgments of God upon Perſons and Nations; and that the General Aſſembly of this Church hath been careful, by their Acts, to condemn and repreſs Diſorders and Abuſes, at Penny-brydals and other Marriages, as being the Seminaries of much Licentiouſneſs and Debauchry, and tending to the Diſhonour of God, and Scandal of our Chriſtian Profeſſion, and Prejudice of the Country's Welfare, enjoyning each Presbytery, to take the moſt effectual Methods, for reſtraining of

the ſame within their Bounds. Particularly, by the Act *February* 13*th Seſſ ult.* Gen. *Aſſembly* 1645. intituled, *Act for reſtraining Abuſes at Penny brydals.* And alſo, that the Laws of the Kingdom diſcharge all Abuſes and Superfluities at Marriages; particularly by the Act of Parliament, *Act* 14 Parliament 3d *Charles* 2d. Marriages are appointed to be gone about in ſober and decent Manner: *Ordaining, That beſide the Families and neareſt Blood-Relations of the Perſons married, there ſhall not be preſent, at that Occaſion, above four Friends on either Side.* Nevertheleſs People do perſiſt, in may Places, to gather together in great Numbers, at Penny-brydals and other Weddings, and remain revelling, and drinking to Exceſs, committing many Enormities and great Diſorders, contrary to the Laws both of GOD and Man, dancing promiſcuouſly, to the great Scandal and Reproach of Chriſtianity, and the bringing of much Guilt and heavy Wrath upon the Land, and the Ruin of their own Souls. Therefore the Synod doth ſeriouſly teſtifie, and exhort in the Lord, that the People under their Charge, henceforth walk not as Heathens, in the Vanity of their Minds, and giving themſelves

ſelves over to Laſciviouſneſs; but that they behave themſelves ſoberly, and with a Converſation becoming the Goſpel on all Occaſions; as they would not incur the Indignation of the great and terrible *GOD*. And particularly, that the foreſaid Abuſes at Penny-brydals, and other Weddings may be reſtrained for the Future, they enjoyn, That all Miniſters and Elders, within this Synod, do, in their ſeveral Pariſhes and Bounds, take Care not only, that the ſame be cenſured according to the Courſe of eccleſiatick Diſcipline; But likewiſe, that the Perſons Offenders be by them complained of to the Magiſtrate, to whom they ſhall addreſs for Executing the Laws againſt them: And for preventing any ſuch Abuſes in Time coming, they do further enjoin, That where any Miniſter is credibly informed, that the Parties to be married do intend to hold Weddings, at which Abuſes, ſuch as theſe above-mentioned, are committed, or where there may be Ground of Suſpicion thereof; that the Miniſter take the Parties engaged before Witneſſes, to keep themſelves within the Bounds of the Acts of the Aſſembly, and other Judicatories of the Church, and Laws of the Kingdom: And if the ſaid Parties there-

after tranſgreſs, that they ſhall be liable to publick Cenſures, over and above the civil Puniſhment, they may be liable to, by the Laws of the Kindom. And likewiſe, that all Perſons, who are Hoſtlers, or Callers together of ſuch Weddings, or concerned therein, be alſo cenſured, as they ſhall be found acceſſory to theſe Abuſes. And to the End, that all Perſons may be ſufficiently informed, and take Notice thereof, the Synod appoints, That this their Act be read from the Pulpit, by all the Miniſters within their Bounds.

This Act is extracted from the Records of the Synod of Glaſgow *and* Air, *by*

Jo. Lockhart Cl. Syn.

Act

Act againſt Lykwakes.

General Aſſembly 12 *February* 1645. Seſ. 18. *poſt meridiem.*

WHereas the corrupt Cuſtom of *Lyke-wakes* hath foſtered both Superſtition and Profanity through the Land, this preſent Aſſembly diſcharges the ſame in Time coming: And appoints Presbyteries, to take ſpecial Care, for Trying and Cenſuring the Tranſgreſſors of this Act within their ſeveral Bounds.

LIST

LIST AND *ABBREVIATE* OF THE *Laws againſt Prophaneſs, and for Suppreſſing of Vice and Immorality.*

IMprimis, Act 22. *Charles* Second, Parl. 1. Seſſ. 1. Intituled, *Act againſt the Crime of Blaſphemy.* That whoſoever not being diſtracted in his Wits ſhall rail upon, or curſe GOD, or any of the Perſons of the Bleſſed Trinity, ſhall be pro-

proceſſed before the *Chief Juſtice*, and being found guilty, ſhall be puniſhed with Death: As alſo, whoſoever ſhall deny GOD, or any of the Perſons of the Bleſſed Trinity, and obſtinately continue therein, being proceſſed and found guilty, ſhall be puniſhed with Death. *Item*, The Act of the firſt Parliament *William* and *Mary*, Seſſion fifth *Cap.* eleventh, ratifying the foreſaid Act. And further Statuting, That whoever, hereafter, ſhall in their Writing or Diſcourſe, deny, impugn or quarrel, argue or reaſon againſt the Being of GOD, or any of the Perſons of the bleſſed Trinity, or the Authority of the Holy Scriptures of the Old and New Teſtament, or the Providence of GOD, in the Government of the World, ſhall for the firſt Fault be puniſhed with Impriſonment, ay and while they give publick Satisfaction in Sack-cloth to the Congregation, in which the Scandal was committed; and for the ſecond Fault, the Delinquent ſhall be fined in a Year's valued Rent of his real Eſtate, and the twentieth Part of his free perſonal Eſtate, the equal Half of which Fines, to be applied to the Poor of the Pariſh where the Crime ſhall be committed, and the other

Half

Half to the Informer, besides his being imprisoned, ay and while he again make Satisfaction as above, and for the third Fault, he shall be punished by Death, as an obstinate Blasphemer: And all Magistrates and Ministers of the Law, and Judges in this Kingdom, are authorized and required to put this Act in Execution, as to the first Fault; as are all Sheriffs, Stewarts, Baillies of Bailliaries and Regalities, and their Deputes, and Magistrates of Burghs, to put the same in Execution as to the second Fault: Remitting the Execution thereof, as to the third Fault, to the Lords of their Majesty's Justiciary. *Secundo*, All Laws and Acts of Parliament made against Cursing and Swearing, as Act Queen *Mary*, Parl. 5 *Cap.* 16. Whereby it is statute, That whosoever swears abominable Oaths, and detestable Execrations, shall be punished with the pecuniary Mulcts, and other Pains contained in the said Act: Act *James* 6 Parl. 7. *Cap.* 103. Ratifying the foresaid Act, with an Augmentation of the Pains; and that Censors be appointed in the Market Place of all Burrows, and other publick Fairs, with Power to put the Swearers of abominable Oaths in Ward, while

they have paid the ſaid Pains, and find Surety to abſtain in Time coming, and that by Direction and Commiſſion of the Sheriffs, Stewarts, Baillies, Provoſts, Baillies of Burrows, Lords of Regalities, and other ordinary Officers, and that all Houſeholders delate to the Magiſtrates, the Names of the Tranſgreſſors of this preſent Act, within their Houſes, that they may be puniſhed, under the Pain to be eſteemed and puniſhed as Offenders themſelves: And that if the ſaid Magiſtrates be remiſs, or negligent in the Execution of this Act, they ſhall upon Complaint be called before Us, and Our Privy Council, and committed to Ward during Pleaſure, and find Surety under great Pains, at Our Sight, for the exact Diligence in Executing the ſaid Act thereafter. Act *Charles* 2d. Parl. 1. Seſ. 1 *Cap.* 19. Ratifying and approving all Acts of Parliament, againſt all Manner of Curſing and Swearing; And further declaring, That each Perſon who ſhall blaſpheme ſwear or curſe, ſhall be liable in the Pains following; Each Nobleman in twenty Pounds *Scots*, each Baron in twenty Merks, each Gentleman, Heretor or Burges in ten Merks, each Yeoman in forty Shillings *Scots*, each Ser-

Servant in twenty Shillings, *toties quoties*, each Miniſter in the fifth Part of his Year's Stipend; and if the Party offender be not able to pay the Penalties foreſaid, then to be exemplarly puniſhed in his Body, according to the Merit of his Fault: And this Act is again ratified, *Charles* 2d. Parliament ſecond, Seſſion third, *Cap.* 22. which contains a diſtinct and particular Method how, and by whom it ſhall be execute. 3. All Laws and Acts of Parliament, for Obſervation of the Sabbath or LORD's Day, as Act *James* 6. Parl. 6. *Cap.* 71. That there be no Markets nor Fairs holden upon the Sabbath-Day, nor yet within the Kirk or Kirk-yards that Day, nor any other Day: And that no Handy-labour be uſed upon the Sabbath-Day, under the Pain of ten Shillings *Scots*. And that no Gaming, Playing, Paſſing to Taverns and Ale-houſes, or Selling of Meat or Drink, or wilful Remaining from the Pariſh Kirk in Time of Sermon, or Prayers, upon the Sabbath-day be uſed, under the Pains of twenty Shillings *Scots*, and who refuſes, or are unable to pay the ſaid Pains, ſhall be put and holden in the Stocks, or ſuch other Ingine deviſed for publick Puniſhment, by the Space of

twenty four Hours: And this Act, as to the Diſcharging of Fairs and Markets holden on Sabbath-days, ratified *James* the 6th. *Parl.* 13 *Cap.* 159. and again ratified againſt theſe who profane the Sabbath-day, by ſelling, or preſenting Goods to be ſold, upon the ſaid Day. And the Pain of the Third Tranſgreſſion, declared to be Eſcheat of their haill Goods, and Puniſhment of their Perſons at Our Will: *Ja.* 6. Parliament 14. *Cap.* 198. *Item.* Act 18, *Charles* 2d. Parl. 1ſt. Intituled, *Act for the due Obſervation of the Sabbath-day*, Ratifying and Approving all former Acts of Parliament, made for Obſervation of the Sabbath-day, and againſt the Breakers thereof, and diſcharging all Going of Salt-pans, Mills or Kills, under the Pain of twenty Pounds *Scots*, to be paid by the Heretors and Poſſeſſors thereof: and all Salmond-fiſhing, Hiring of Shearers, Carrying of Loads, Keeping of Markets, or Uſing of Merchandize on the ſaid Day, and all other Profanations thereof, under the Pain of ten Pounds *Scots*, the one Half whereof to be paid by the ſaid Fiſher, and Shearer hired, and the other Half by the Perſons hiring, and if the Offender be not able to pay the ſaid Penalties,

that

ſhall he be examplarly puniſhed in his Body, according to the Merit of his Fault; and this Act ratified *Charles* 2d. Parl. 2d. Seſ. 3d. *Cap.* 22. *Quarto*, The Act *Charles* 2d. Parl. 1ſt. Seſ. 1. *Cap.* 20. Intituled, *Act againſt Curſing and Beating of Parents*, whereby it is ſtatute, That whoſoever, Son or Daughter above the Age of ſixteen Years, not being diſtracted, ſhall beat or curſe either their Father or Mother, ſhall be put to Death without Mercy; and ſuch as are within the Age of ſixteen Years, and paſt the Age of Pupillarity, to be puniſhed at the Arbitrement of the Judge, according to their Deſerving. *Quinto*, All Acts againſt Drunkards, and exceſſive Drinking, ſuch as the Act, *James* 6. Parl. 22. *Cap.* 20. Whereby it is ſtatute, That all Perſons convict of *Drunkenneſs*, or of Haunting of Taverns and Ale-houſes after Ten Hours at Night, or any Time of the Day, except in the Time of Travel, or for ordinary Refreſhment, ſhall for the firſt Fault pay three Pounds, or if unable, or refuſing, be put in Jogs or Priſon, for the Space of ſix Hours: For the ſecond Fault five Pounds, or if unable or refuſing, to be kept in Stocks or Priſon, for the

Space

Space of twelve Hours, and for the third Fault, to pay ten Pounds, or in Caſe foreſaid, to be keeped in Stocks or Priſon, for the Space of twenty four Hours: If they tranſgreſs thereafter, to be committed to Priſon, till they find Caution for their good Behaviour. *Item*, the Act *Charles* 2. Parl. 1. *Seſſ.* 1. *Cap.* 19. *Ratifying all former Acts againſt the Crime of exceſſive Drinking*, Declaring, That *whoſoever* ſhall drink unto Exceſs, ſhall be liable, each Nobleman in 20 *Lib. Scots*, each Baron in 20 Merks, each Gentleman, Heritor or Burges in 10 Merks, each Yeoman in 40 Shillings, each Servant in 20 Shillings *Scots*, *toties quoties*; each Miniſter in the fifth Part of his yearly Stipend, and that the Offender unable to pay the foreſaid Penalties, to be examplarly puniſhed in his Body, according to the Merit of his Fault. *Sexto*, The Laws and Acts of Parliament made againſt Adulterers, as Queen *Mary*, Parl. 5 *Cap.* 20. Whereby it is ſtatute, That manifeſt and incorrigible Adulterers, after the Proceſs of Haly-Kirk, ſwa far as the ſamen may extend, is uſed upon them, for their Diſobedience and Contemption, be denounced Rebels and put to the Horn, and all their Moveables in-brought as Eſcheat, and no

Appel-

Appellation interponed frae the ſaid Cenſures of Haly-Kirk, to ſuſpend the Horning. Act Q. *Mary*, Parl. 9. *Cap.* 74. That all notour and manifeſt Committers of Adultery be puniſhed, with all Rigor unto the Death, as well the Woman as the Man, after due Monition made to abſtain frae the ſaid notour Crime; and that for other Adultery, the Laws and Acts, made thereupon of before, be put to Execution with all Rigor. And the Act, *James* 6. Parl. 7. *Cap.* 105. Whereby it is declared, That it ſhall be judged notour and manifeſt Adultery, worthy of the Pain of Death, whoever has Bairns, one or moe, procreate betwixt the Perſons Adulterers, or when they keep Company in Bed together notoriouſly known, or when they are ſuſpect of Adultery, and duly admoniſhed by the Kirk, to abſtain and ſatisfie the Kirk by Repentance and Purgation, yet contemptuouſly refuſing, are excommunicate for their Obſtinacy. *Septimo*, All Laws and Acts of Parliament made againſt Fornication, as Act, *Ja.* 6. Parl. 1. *Cap.* 13. Statuting, That who ſhall commit the filthy Vice of Fornication, ſhall for the firſt Falt, as well the Man as the Woman, pay the Sum of forty Pounds, or then both he

and

and ſhe ſhall be impriſoned for the Space of eight Days, their Food to be Bread and ſmall Drink, and thereafter preſented to the Market-place of the Town or Pariſh bareheaded, ſhall there ſtand faſtned, that they may not remove for the Space of two Hours: For the ſecond Fault, the Sum of one hundred Merks, or then the forenamed Days of their Impriſonment ſhall be doubled, their Food to be Bread and Water allennarly, and thereafter ſhall be preſented to the Market-place, and the Heads of both the Man and the Woman to be ſhaven. And for the third Fault, one hundred Pounds, or elſe the above Impriſonment to be tripled, their Food to be Bread and Water allennerly; And thereafter to be taken to the deepeſt and fouleſt Pool of Water of the Town or Pariſh, and there to be thrice doucked, and then baniſhed the ſaid Town and Pariſh for ever; and how oft any Perſon ſhall be convict thereafter, of the ſaid Vice of Fornication, that ſo oft the third Penalty be execute upon them. *Item*, The Act, *Charles* 2d. *Parl* 1. Seſſ 1. *Cap.* 38. Impowering the Juſtices of *Peace*, to put in Execution Acts of *Parliament*, for puniſhing the *Perſons* guilty of Fornication, and

that

that they cause them pay the pecunial Sum following: Each Nobleman for the first Fault, four hundred Pounds; each baron two hundred Pounds, each other Gentleman or Burges, one hundred Pounds, every other Person of inferior Quality, ten Pounds *Scots* Money, and that these Penalties be doubled *toties quoties*, according to the Relapses, and Degrees of the Offence, and Quality of the Offenders; And that they be paid not only by the Man, but also by the Woman, according to her Quality, and the Degree of her Offence, the one without Prejudice of the other. *Item*, The said Act *Charles* second, Parl. 1. Sess. 1. *Cap.* 38. Statutes, That the Justices of Peaces put in Execution all Acts of Parliament, for punishing all Persons, who shall be Mockers or Reproachers of Piety, or the Exercises thereof, and cause them pay the Penalties, contained in the fore-mentioned Acts of Parliament against profane Swearing. *Item*, The Act of the first Parliament, King *William*. Sess 5. *Cap.* 13. intituled, *Act against Profaness*, strictly requiring and enjoining, That all Sheriffs and their Deputes, Stewarts and their Deputes, Baillies of Bailliaries and Regalities, and their

Deputes, Magiſtrates of Burghs Royal, and Juſtices of Peace, within whoſe Bounds any of the ſaid Sins of Curſing, Swearing, Drunkenneſs, Fornication, Profanation of the LORD's Day, and Mocking and Reproaching of Religion ſhall happen to be committed, to put the ſaid Acts to exact and punctual Execution at all Times, without Neceſſity of any Diſpenſation, and againſt all Perſons, whether Officers, Soldiers or others without Exception; Certifying, That ſuch of the ſaid Judges as ſhall refuſe, neglect, or delay to put the Laws made againſt the ſaid Sins in Execution, upon Application of any Miniſter or Kirk-Seſſion, or any Perſon in their Name offering Information, and ſufficient Probation, ſhall *toties quoties* be ſubject and liable to a Fine of an hundred Pounds *Scots*, for which they may be purſued at the Inſtance of the Agent for the Kirk, or Miniſter of the Pariſh by ſummar Proceſs, without Order of the Roll.

Item, The twenty one Act of the ſecond Seſſion of the current Parliament, dated the 19 *July*, 1690. intituled, *Act anent Murdering of Childrer*, whereby it is ſtatute, *That if any Woman ſhall conceal her being with Child, during the whole Space, and*

and shall not call for, and make Use of Help and Assistance in the Birth, the Child being found dead or amissing, the Mother shall be holden and repute the Murderer of her own Child, tho' there be no Appearance of Bruise, or Wound upon the Body of the Child. All which Acts above-mentioned are hereby ordered to be published only for Superabundance, and the better Intimation of our Liedges, without the least Derogation to other Acts or Laws not published in this Matter.

Act of Parliament against Prophaness.

January 31. 1701.

OUR Sovereign Lord, for the better and more effectual Repressing of Prophaness and Immorality, with Advice and Consent of the Estates of *Parliament*, ratifies, renews and revives all former Laws, and Acts of *Parliament* made against Drunkenness, Sabbath-breaking, Swearing, Fornication, Adultery, and all Manner of Uncleanness, Mocking and Reproaching Religion, and the Exercise thereof, and

generally all other Laws made againſt Prophaneſs; and particularly, without Prejudice of the ſaid Generality, ratifies and revives the Act of the ninth Parliament, Q. *Mary*, *Cap.* 74. intituled, *Act anent Adultery*: As alſo the Act of the ſeventh Parliament, *James* 6. *Cap.* 105. intituled, *The Explanation of the Act touching notour and manifeſt Adultery*. And ordains the ſame to be put to ſtrict and vigorous Execution in all Points: As alſo ratifies and approves the Acts following, *viz.* The Act of Parliament 1672. intituled, *Act againſt Prophaneſs*, whereby all Members of his Majeſty's Privy Council, or Lords of Seſſion, with all Judges Ordinary, having their Reſidence or keeping Courts in any Pariſh, are ordained to execute, or cauſe execute the ſaid Laws againſt ſuch Delinquents therein, as ſhall be delated to them by the Kirk-Seſſions, or other Church Judicatories, with Power to the Kirk-Seſſion and Heritors to name a Collector of the Fines: As alſo, where none of the foreſaid Perſons in Authority reſide, to nominate a Perſon reſident within the Pariſh, whom they ſhall offer to the Judge Ordinary of the Bounds, to the End he may grant them a Deputation to the Effect fore-

foresaid: As likewise to modifie and appoint such Fees to the said Collectors, out of the said Fines, as they shall find just, and that the Remainder of the said Fines be applyed for the Use of the Poor, in Manner specified in the said Act. The Act of Parliament 1693. also intituled, *Act against Prophaness*, whereby every Presbytery within this Kingdom, is impowered, and ordained to appoint one or more within their respective Bounds, to take Notice of all Vices and Immoralities, and to delate and prosecute the Persons guilty, conform to the Tenor of the former Acts, and allowing to them out of the Fines, not only their whole Expences, but such Rewards as the Lords of Privy Council shall think fit: The Act 1695. likewise intituled, *Against Prophaness*, Whereby all the Judges Ordinary, and their Deputes, and all Justices of Peace, within whose Bounds any of the said Offences shall happen, are authorized and injoined, to put the said Acts against Prophaness, to exact and punctual Execution at all Times, without Necessity of any Dispensation, and against all Persons, whether Officers, Soldiers, or others, without Exception, with Certification, that any of the said Judges that shall

refuse

refuſe, or neglect to put the ſaid Laws in Execution, upou the Application of any Miniſter, Kirk-Seſſion, or any Perſon in their Name informing, and offering ſufficient Probation, he ſhall be liable and ſubject, *toties quoties*, to a Fine of one hundred Pounds *Scots*, for the Poor of the Pariſh where the Scadal happened; Declaring, That the Agent for the Kirk, the Miniſter or Kirk-Seſſion of the Pariſh, or any having their Warrant, ſhall have good Intereſt to purſue before the Lords of Seſſion, any of the ſaid Judges refuſing or neglecting, as ſaid is, and that the ſaid Refuſal or Neglect ſhall be ſufficiently proven, by an Inſtrument under a Notar's Hand, and Witneſſes ſubſcribing and deponing, that the ſaid Information was given, and Probation offered, as the ſaid Act more fully bears. And *laſtly*, the Act 1696. alſo intituled, *Act againſt Prophaneſs*, in the haill Heads, Articles and Clauſes theirof, all which Laws and Acts of Parliament, generally and particularly above narrated, his Majeſty with Advice and Conſent foreſaid, ordains to be put to ſtrict and punctual Execution in all Points, and further, all Miniſters and Kirk-Seſſions, and Heritors concerned, are hereby required

ed and ordained to do and act their Parts faithfully in the Premiſſes, as they will be anſwerable; *And in Caſe any Perſon ſhall be excommunicate, for not anſwering, or for not obeying and ſatisfying the Church, when proceſſed before them for Prophaneſs and Immorality*, or in Caſe, *That any Perſon cited on the Account foreſaid, ſhall be declared by the Church to be contumacious*; then, and in either of theſe Caſes, his Majeſty, with Advice and Conſent foreſaid, *Statutes* and *Ordains*, That upon *Application* made by *a Preſbytery, Provincial Synod* or *General Aſſembly*, to his Majeſty's Privy Council, repreſenting the ſame, the Lords of Privy Council *ſhall* repreſent the *ſaid Matter to his Majeſty*, that he may be duly informed anent the foreſaid Perſon found guilty or contumacious, as ſaid is, *as a Perſon not fit to be imployed, or continued in any Place of publick Truſt Civil or Military.*

FINIS.

CONTENTS.

ACT of the Synod of Glasgow and Air, for Reviving Piety and Suppressing Immorality. Page 3.

Act and Recommendation of the General Assembly 17 8. concerning ministerial Visitation of Families. P. 8.

Act Gen. Assembly, 1697. against Prophaness. P. 17.

Act 1699. against Prophaness. P. 23.

Act of Assembly 1596 Sect. 51b. revived Assembly 1638. Concerning Ministers Diligence in Studying, and suitable Preaching. P. 28.

Act 1719 shewing the Sin and Evil of Running unentred Goods; and of the Perjuries at Custom-Houses, in Matters of Trade. P 29.

Recommendation against Abuses at Penny-Weddings. P. 32.

Act of the Synod of Glasgow and Air, against Abuses and Disorders at Weddings. P. 33.

Act of the General Assembly, against Lykwakes. P. 37.

List and Abbreviate of the Laws against Prophaness, and for Suppressing of Vice and Immorality. P. 39.

Act of Parliament against Profaness. p. 51.